

# Kentucky Gazette.

"True to his charge—he comes, the Herald of a noisy world; News from all nations lumbering at his back."

NEW SERIES—NO. 10. VOL. V.]

LEXINGTON, K. FRIDAY, MARCH 5, 1849.

[VOL. XXXIII.]

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## Laws of the United States.

(BY AUTHORITY.)

### RESOLUTION

For the distribution of Seybert's Statistical Annals; and directing Pitkin's Commercial Statistics to be deposited in the Library.

Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State cause to be distributed one copy of Seybert's Statistical Annals to the President of the United States, and to the Executive of each state and territory, one copy for the use of the Attorney General of the United States; and one copy to each member and delegate of the fifteenth congress; and one copy to each college and university in the United States, if applied for by such college or university; and the residue of the five hundred copies of the Annals aforesaid, together with the two hundred and fifty copies of Pitkin's Commercial Statistics, shall be deposited in the Library of Congress, for the use of the members.

H. CLAY.

Speaker of the House of Representatives.  
DANIEL D. TOMPKINS,  
Vice-President of the United States,  
President of the Senate.  
January 23, 1849—Approved,  
JAMES MONROE.

### AN ACT

For the relief of Thomas B. Farish.  
Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the secretary of the treasury cause to be paid unto Thomas B. Farish, the sum of one hundred and forty-nine dollars and sixty cents, out of any money in the treasury not otherwise appropriated.

H. CLAY.

Speaker of the House of Representatives.  
DANIEL D. TOMPKINS,  
Vice-President of the United States,  
President of the Senate.  
February 4, 1849—Approved,  
JAMES MONROE.

### AN ACT

For the relief of Samuel H. Harper.  
Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the secretary of the treasury be, and he is hereby, authorized and empowered to pay to Samuel H. Harper, of the state of Louisiana, the sum of five hundred dollars, as compensation for bringing to the seat of the general government the record of the decisions of the register and receiver, acting as commissioners, for the eastern land district of Louisiana, and that the same be paid out of any money in the treasury not otherwise appropriated.

H. CLAY.

Speaker of the House of Representatives.  
DANIEL D. TOMPKINS,  
Vice-President of the United States,  
President of the Senate.  
February 4, 1849—Approved,  
JAMES MONROE.

### AN ACT

Authorizing the distribution of a sum of money among the Representatives of Commodore Edward Preble, and the officers and crew of the brig Syren.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of two thousand five hundred dollars is hereby appropriated, out of any money in the treasury, not otherwise appropriated; which sum shall be distributed by the secretary of the navy, as prize money, among the representatives of Commodore Edward Preble, deceased, and Captain Charles Stewart, the officers and crew of the brig of war Syren, or to the representatives of such as may be dead, on account of their proportion of the sum of five thousand dollars, the appraised value of the brig Transfer, captured by the said brig Syren, for a breach of the blockade of the port of Tripoli, in the year eighteen hundred and four, during the war carried on by the United States against that power; the said brig Transfer having been taken into the service of the United States, by Commodore Edward Preble, commander of the blockading squadron; which brig was regularly condemned as a good prize, by sentence of a court of admiralty.

H. CLAY.

Speaker of the House of Representatives.  
DANIEL D. TOMPKINS,  
Vice-President of the United States,  
President of the Senate.  
February 4, 1849—Approved,  
JAMES MONROE.

### AN ACT

For the relief of Sampson S. King.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the proper accounting officers of the treasury department be, and they are hereby, authorized to settle the account of Major Sampson S. King, on equitable principles, and give such credits as shall seem just and reasonable; from the best evidence the nature of the case will admit; provided, that it shall appear that the said Sampson S. King, has not been guilty of any misconduct or default in failing to render his accounts for settlement.

H. CLAY.

Speaker of the House of Representatives.  
DANIEL D. TOMPKINS,  
Vice-President of the United States,  
President of the Senate.  
February 4, 1849—Approved,  
JAMES MONROE.

### AN ACT

To authorize the payment, in certain cases, on account of treasury notes which have been lost or destroyed.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That whenever proof shall be exhibited, to the satisfaction of the Secretary of the Treasury, of the loss or destruction of any treasury note, issued under the authority of any act of congress, it shall be lawful for the said secretary, upon receiving bond with sufficient security to indemnify the United States against any other claim on account of the treasury note alleged to be so lost or destroyed, to pay the amount due on such note, to the person who had lost it, or in whose possession it has been destroyed.

Sec. 2. And be it further enacted, That whenever proof shall be exhibited, to the satisfaction of the secretary of the treasury, of the loss or destruction of any certificate of Mississippi stock, it shall be lawful to issue, to the person who had lost it, or in whose possession it was destroyed, a new certificate of the same value with the one lost or destroyed; the person claiming such renewal complying with the rules and regulations at present established at the treasury department, for the renewal of certificates of stock lost or destroyed.

H. CLAY.

Speaker of the House of Representatives.  
DANIEL D. TOMPKINS,  
Vice-President of the United States,  
President of the Senate.  
February 4, 1849—Approved,  
JAMES MONROE.

### AN ACT

To establish a judicial district in Virginia, west of the Alleghany mountains.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the state of Virginia as is situated west of the summit of the mountains which separate the waters emptying into the Chesapeake bay and Roanoke river from the waters which fall into the Ohio river, shall be one judicial district, and there shall be a district court therein, to consist of one judge, who shall reside in the said district, and be called a district judge, and annually hold six sessions as follows: At Charlestown, on the fourth Mondays of March and September; at Louisville, on the second Mondays of April and October, and at Wythe court house, on the first Mondays of May and November.

Sec. 2. And be it further enacted, That the said court shall, besides the ordinary jurisdiction of a district court, have jurisdiction of all causes, except of appeals and writs of error, cognizable by law in a circuit court, and shall proceed therein in the same manner as a circuit court; and writs of error shall be from decisions therein to the supreme court, in the same manner as from circuit courts.

Sec. 3. And be it further enacted, That there shall be a clerk appointed for the said court; and that a district attorney and marshal be appointed for the said district, in like manner as in other judicial districts.

Sec. 4. And be it further enacted, That there shall be allowed to the said judge of the said district court the yearly compensation of one thousand six hundred dollars, to commence from the date of his appointment; and there shall be allowed to the said marshal, the yearly sum of two hundred dollars, to commence from the date of his appointment; to be paid quarterly at the treasury of the United States.

H. CLAY.

Speaker of the House of Representatives.  
DANIEL D. TOMPKINS,  
Vice-President of the United States,  
President of the Senate.  
February 4, 1849—Approved,  
JAMES MONROE.

## CONGRESS.

### HOUSE OF REPRESENTATIVES,

JANUARY 21.

[MR. JOHNSON'S SPEECH CONTINUED.]

Having attempted to prove that Gen. Jackson was correct in his principle of public law, and that, both by law and the constitution, it was the right and bounden duty of the Executive to carry on war against the savage tribes when they took up arms against us, Mr. J. said, he would pass on to the power of Gen. Jackson, as Commanding General, to do what he did in relation to these two incendiaries.

And, first he referred to the resolutions of the revolutionary Congress, in the case of Captain Huddie, which he read as follows: "Be it declared, and it is hereby declared, That the commander in chief, or the commander of a separate army, in virtue of the power vested in them, respectively, fully authorized and empowered, whenever the enemy shall commit an act of cruelty or violence contrary to the laws or usage of war, to demand adequate satisfaction for the same, and, in case such satisfaction shall not be given in a reasonable or limited time, or shall be refused or evaded under any pretence whatever, to cause suitable retaliation forthwith to be made, and the U. States, in Congress assembled, will support them in such measures."

This it appears to have been solemnly established, at that early date of our history, not only that the Commanding General, but every commander of a separate army, was vested with the power of retaliation. Mr. J. next quoted from Lendrum's History of the Revolution (page 226) the correspondence, in the commencement of the war, between General Washington and the British General Gage, and read the following passage of General Washington's letter to General Gage at Cambridge:—August 11, 1775.

"The obligations arising from the right of humanity, are universally binding, except in the case of retaliation. My duty now makes it necessary to apprise you, that, for the future, I shall regulate my conduct towards those gentlemen of your army, who are, or may be in our possession, exactly by the rule you may observe towards those of ours, who may be in your custody. If severity and hardship make the line of your conduct (painful as it may be to me) your prisoners will feel its effects; but if kindness and humanity are shown to ours, I shall, with pleasure, consider those in our hands only as unfortunate, and they shall receive from me that treatment to which the unfortunate are ever entitled."

Here, said Mr. J. the revolution was commenced with the assertion of the principle, and terminated with its recognition. It was solemnly confirmed by the illustrious Revolutionary Congress, who were afraid that the act of mercy in regard to Capt. Asgill might be presumed to disarm their Commanding Generals of the power of retaliation. On this subject having shown that the power had never before been questioned, but from the earliest date invariably asserted, it was scarcely necessary to say more.

Are you afraid, said Mr. J. of your military commanders? Let us cease to appoint and maintain them—let us fold our arms, and see who will fight our battles. But if we must continue to use our muskets, rifles and cannon to defend ourselves from violence, the power of directing their management must be trusted somewhere. If General Jackson be unworthy of his station, it is in our power to displace him. Have we not almost omnipotent power? And if we were not men of honor, integrity, loving wisdom, virtue and our country, might we not abuse our power and prostrate liberty? Take from the General the power of immediately heading our army in the field, and it must be reposed somewhere else. When at war, will you attempt in person to lead your armies to battle? Or, when armies are contending and blood is flowing, are our Generals to send to Congress to know whether they shall exercise the power of retaliation, or whether they shall give or refuse quarter? The power must be committed to the commanders of your armies, and if you are afraid to confide in them, you can have no army—for it is not expected that we are to march to Micksisky or to Suwaney, to fight the battles of our country. Other duties are assigned to us; and if we assume those which belong to other Departments, the separation of powers in our government is a mere nullity.

Gentlemen dwell on the danger of acting on the principle of necessity. Mr. J. admitted it. But was necessity alone the tyrant's plea—or was it the plea of the good man as well as the tyrant? And is the good man to fold his arms and say, necessity is the tyrant's plea; and I will, therefore, surrender this right and this power which commenced with the foundation of the earth and is as old as time itself? Mr. J. said, he was the advocate of mercy, not of cruelty; but it was of a mercy compatible with justice, and not that mistaken clemency which is in itself cruelty. Justice ought not to be lost sight of in the pursuit of mercy. If it is, the foundations of our government may be overturned, and our weakness and imbecility will invite the fate which has overtaken the nations that have passed away. It is, said he, of the Caesars, the Phillips and the Cromwells alone we have reason to be afraid? Let us rather avoid the treatment of an ungrateful country to Belshazzar—let us avoid the example of the banishment of Aristides—let us rather fear to take from our aged warrior the only recompense he asks or can receive for his services—the gratitude of his country. Is there no danger of this? Has not the time arrived, in which we have reason to apprehend it? Joshua, notwithstanding his fidelity to David, was slain at the house of the altar, and said could not bear to hear the praises of the gallant Captain who had slain Goliath. I am equally afraid, with the Speaker, of the ambition of a Caesar, or a Napoleon, should such arise, but I am more afraid of that sickness of feeling toward convicted incendiaries which would show itself in ingratitude towards him who has risked his all in the service of his country, and has done for us so much. What reward does this gallant Captain ask of his country? Does he desire wealth? No; he fought for glory, for liberty, for his country: he expected at least his gratitude—and now it is proposed to hold him up, as an example to all mankind, of the danger of incurring responsibility in the service of the nation.

Mr. J. then proceeded to remark on the case of Major Andre, which was a strong example of military execution in the face of great difficulties; Major A. having come out with a flag of truce, and been seized by the British, involving him in guilt. What was the fate of that gallant and distinguished young man? And who was the individual who brought him to the bar of justice, and rigorously executed on him the sentence of a court martial? What was the foundation of the proceedings of the Board of fourteen general officers, who condemned him to death? It was upon the law of nations, and upon the magnanimous, open and honorable confession of the prisoner himself, that he had committed the crime of desertion, which would divest ourselves of this right, that it was recognized by statute. What was admitted public law, what was indeed the common law of the world, could gain no strength by being embodied in the technical phrases of statute law. The principle is universal, that, in fighting against savages, you may meet them with their own weapons, and put any individual of them to death. On the ground of reprisal the same right exists. On this point, Mr. J. quoted the following passage from Vattel, page 34, sec. 14.

"There is, however, one case in which we may refuse to spare the life of an enemy who has surrendered: it is when the enemy has been guilty of some enormous breach of the laws of nations, and particularly when he has violated the laws of war."

"When we are at war with a savage nation, who observe no rules, and never give quarter, we may punish them in the persons of any of their people, whom we take, (these belonging to the number of the guilty, and by this rigorous proceeding, endeavor to force them to respect the laws of humanity."

"If the hostile general has, without any just reason, caused some prisoners to be hanged, we hang an equal number of his people." Id. sec. 142.

"In time of war, a prisoner of war may sometimes be put to death, in order to punish a nation that has violated the laws of war." Martens, page 263, sec. 3.

"It is lawful for a general to put prisoners to death: 1st. when sparing their lives would be inconsistent with his own safety; 2d. in cases where he has the right to exercise the right, or to make reprisals; 3d. when the crime committed by those who fall into his hands justifies the taking of their lives." Id. page 263, sec. 4.

Notwithstanding the difference of opinion which was here entertained, Mr. J. said, it was fortunate for General Jackson, the evening of whose life would be cheered by the recollection of the plaudits of a grateful people, and a consciousness of his own services, that he did not violate, in this case, the rights of captives, nor inflict punishment on innocent men, but on the most guilty of the guilty. Wherever severity is not absolutely necessary, clemency may become a duty. But here clemency had no claim to interpose. There could be no harshness or severity in putting to death two incendiaries when the rest of their confederates and leaders followed were so forced to roam at large. Instead of bestowing our commiseration on the guilty, who suffered death for their crimes, said Mr. J. we should open our bosoms to the bleeding wounds of our own country, and thank Heaven they have been stanchied by the vigorous arm of an energetic commander.

As to the necessity of putting these men to death, Mr. J. said he thought, when we said there was not a shew of necessity for it, we ought to hear what General Jackson himself had to say on that subject. It would be seen, that he had connected the capture of these two men with his ability to return home; that it was this circumstance which he considered as putting a period to the war, they being the promoters of it, &c. Mr. J. then read the following passages from General Jackson's letters:

"These individuals, (Arbuthnot and Ambrister) were tried under my orders, by a special court of select officers; legally convicted of the crime of this savage and negro war; legally condemned, and most justly punished for their iniquities. The proceedings of the court martial in the case, with the volume of testimony, justifying their condemnation, present scenes of wickedness, corruption, and barbarity, at which the heart sickens."

"I hope the execution of these two unprincipled villains will prove an awful example to the world, and convince the government of Great Britain, as well as her subjects, that certain, if slow, retribution awaits those unchristian wretches, who, by false promises, delude and incite an Indian tribe to all the horrid deeds of savage war."

"So long as the Indians, within the territory of Spain, are exposed to the delusions of false prophets, and poison of foreign intrigue; so long as they can receive ammunition, munitions of war, &c. from pretended traders, and Spanish commanders, it will be impossible to restrain their outrages."

Mr. J. asked, whether this reasoning was false or correct; whether it was founded on matter of fact, or on what was not fact? If it was true, he should like to hear gentlemen answer it. Nine tenths of the Indians were left in their own country, and, if proper precaution was not taken, the same scenes as had already been exhibited would be acted over again. General Jackson at one time thought the war was at an end, and that he might go home. But he found he was mistaken, and that it was necessary to scour the country west of the Appalachians. And after he got into it, he was obliged to take Pensacola before he could conclude the war.

In regard to the origin of this war, was it, indeed, as had been said, a contest for a hunting ground and a few cattle? It was for about ten or fifteen millions of acres of land. It was not a common Indian war, in which we could have dispensed with rigorous proceedings. One of two alternatives we were obliged to take: either to admit that we had made a treaty with the savages, which was a disgrace to the country, and order back to the Creek nation of Indians from ten to fifteen millions of acres of land which the people of Georgia are now preparing to occupy and cultivate; or to hold on to it, and put down the Indian war by force. This was not a common petty larceny war, in which a few individuals were murdered; but it was a solemn declaration of war on the part of the Indians, and Mr. Arbuthnot was the author of it. Mr. J. here quoted Arbuthnot's letter to General Mitchell, Indian agent, in which he said: "Sir, King, Hatchy, the head chief of the Lower Creek nation, has called on me to request I would represent to you the cruel and oppressive conduct of the American people living on the borders of the Indian nation, &c. But far from any step being put to their inroads and encroachments, they are pouring in by hundreds at a time. Thus the Indians have been compelled to take up arms to defend their homes from the depredations of the whites. In taking this liberty of addressing you, sir, in behalf of the unfortunate Indians, believe me, I have no wish but to see an end put to a war, which, if persisted in, I foresee must eventually be their ruin; and, as they were not the aggressors, in the height of their rage, they committed any excesses, that you will overlook them, as the just ebullitions of an indignant spirit against an invading foe."

Sir, when this letter was written, Lieut. Scott and his detachment had been decimated, the women butchered and the children's brains dashed out against the side of the boat. These were what he calls, the just ebullitions of an indignant spirit! Who would pronounce innocent the man who made this declaration on the part of the enemy? Did Arbuthnot supply the Indians with intelligence? Was he at Fort St. Marks, identified with the Spanish commander? Did not the commandant of St. Marks make contracts with the Indians to go and steal cattle from the Georgians? Let me answer these questions. Did the twelve chiefs say, in their letter to the Governor of the Bahamas, that they had consulted the commandant at St. Marks, and did not the commandant himself, approving that letter, sanction the call upon the British for aid to fight against the government of the United States? Under the circumstances of the case, were we prepared to concede fifteen millions of acres of country conquered from a foe who had, without provocation, assailed our frontier and deluged our country with blood, at a moment when we were engaged with a powerful foreign enemy? Surely not. Mr. J. said he defied any gentleman to prove a single instance, except by the asseverations of the Indians themselves, in which our people had plundered or murdered any of the Indians without our having endeavored to detect and punish them. He defied them to prove any act of aggression on them, except those alleged to have been committed in our territory, which we conquered, and which was ceded to the United States; and over which, therefore, the Indians had no jurisdiction. If, by the treaty of Ghent, we had been compelled to concede the land to them, there would have been some sort of apology for their murdering our citizens, as trespassers, &c. But, as it was, no such plea could be set up, and gentlemen knew it, and the Indians knew it too.

With respect to the taking of Pensacola, the last point in order, Mr. J. said he had been gratified to find that, whilst Gen. Jackson was said to have violated his duty (through previous or subsequent orders) that he had done) there was a free admission, on all hands that we owed nothing to Spain, notwithstanding this very violent aggression and hostility committed on her territory. Why this, Mr. J. said, was giving up the question; that being the ground on which he acted, and on which justification was placed by the administration and by himself. Was there no possible case Mr. J. asked, in which a general ought to

act for himself? If he had returned home without having visited Pensacola, after what had passed, he would have made a cowardly retreat; which is not his habit—for victory never failed to follow his arms. What had been the conduct of the Governor of Pensacola? He had refused a passage up the Escambia of the vessels carrying provisions for the support of our troops on the territory of Spain, where they were found, because Spain either had not the power or had not the will to maintain for her territory the character of neutrality—and where they were, further, under the positive orders to go. Was this all, said Mr. J. that the Governor of Pensacola did? No; he threatens to drive our forces at the point of the bayonet, from—where? Where the pursuit of the Seminole Indians, and the orders of the Executive, had carried them. Of the orders to go there, we were apprized at the last session, and no exception was taken to them. What was the basis of the permission to our commander to enter the Spanish territory? Had he not demanded the murderers? Was an ideal line of the 31st degree of latitude to arrest our progress in pursuit of them? Gen. Jackson was in the performance of his duty when the challenge was given to him by the commandant of Pensacola, and the enemy in free and constant ingress and egress to and from the fort, as the documents establish. Some had called Hamby a miscreant; but Mr. J. said, the testimony contained in the papers before the House was favorable to him. It appeared that he had been for two years endeavoring to bring the Indians into friendship with the United States, as they themselves said; but they preferred to "stick close to their old friends, the British." The Indians had undoubtedly free intercourse with Pensacola. How often, said Mr. J. has it been proclaimed on this floor that Spain has forfeited her neutral character and prostrated her sovereignty? The principle of self-defence, as a rule of conduct for nations, came from the tomb—it sprung from the ashes of those who had written on public law centuries ago. The savages being constantly nursed and supplied at Pensacola, during their hostility with us, it would, after the threat of the commandant, have been a disgrace for General Jackson to have waited for orders from his government. He did not wait: it was true, as my colleague says, he came, he saw, he conquered. I thank my God he did, and that the Executive has not censured him for so doing. The nation will not, and I hope this committee will not, condemn him for it. If we go to war, we must exercise the rights of belligerents, and the powers of sovereignty. If we are never to go to war, but suffer inroads to be made on our borders; if we are to invite the Goths and Vandals to come and take our country by the weakness and imbecility with which our government is administered, then, sir, and then, only, let us pronounce censure on Gen. Jackson and on the Executive.

What Mr. J. asked, would be the consequence of an admission, by this house, of the truth of the imputations which had been cast on Gen. Jackson? There will be an obligation incurred to Spain, to indemnify her for injury sustained, on our refusal to do which, she would be authorized, if able, to take compensation from us. The post is surrendered, it is true, by the executive, but it is with the condition of a force being put there adequate to maintain the authority of Spain. If Gen. Jackson be pronounced an aggressor, said Mr. J. you must agree to punish him, and indemnify Spain. And what punishment will you inflict, to gratify the nice feelings of Old Spain? Are you prepared, when you find the Spanish authorities identified with your savage enemy, and your general is ordered by those authorities to march from where the orders of his government had placed him—will you, under such circumstances, bring censure and sorrow for his punishing this contempt on the grey hairs of him, whose hand never faltered in the discharge of duty to his country. You knew his character, sir, when you sent him there, and knew he would finish what he began. Suppose he had disbanded his men at St. Marks, and a handful of Spaniards had put him to flight—what then should we have heard, in a voice of thunder reverberating from all sides of this house? Sir, such denunciation would have ensued from every part of the nation, that Jackson must have sunk under it. But victory he has achieved; he has put a speedy end to an unprovoked war. Did I say he put an end to it? Yes, as far as any human could. But at this moment I have received information from a friend at St. Marks, that the moment the Indians understood that Florida was to return to the possession of Spain, they ceased to come in and were rallying their forces again, King Hajo at their head.

I am not willing, said Mr. J. to give up the land ceded to us by the treaty of Fort Jackson, because it secures the settlement of our frontier. And if you offer me the alternative of war, I will take it in preference. I feel, sir, as little warlike, as any individual on earth; I feel as if I never again wished to hear the drum or trumpet's sound; I wish that the halcyon days of peace, could last, until the consummation of all things—but, when the bayonet is at our breast, and we are called on to arrest the ravages of a savage foe, I will take up the hatchet and wield it against them. I will meet the foe, and let no false feeling of mercy in my bosom extinguish the obligations of duty to my country. This is the situation of Gen. Jackson, and what punishment will you inflict on him? Do you think you will ever stand in need of the arm of such a man again?—a man, sir, little understood—violent, perhaps, in his enemies, and equally ardent in his friendships—but who, as an officer, is vested with all the energies of a Caesar, or a Napoleon, making allowance for the difference of his materials—who meets with equal courage and conduct, the Indians or the Invincibles of Wellington. Though he is thought a desperate character, said Mr. J. look at the deliberation with which he has acted, and see whether he has not, in the discharge of his military duties, maintained his character as a great man and as an officer?

With regard to the case of Copenhagen, if the fact had been true, instead of being supposed, that the question had been presented, France or England have the Danish navy? would infamy have attached as it has done to that transaction? Certainly not. In the case of St. Marks, Mr. J. said, that post was virtually in the possession of the enemy. In regard to Pensacola, every evidence had been given of hostility to us, and co-operation with our enemy. There was in both cases sufficient justification.

As to the case of the Kentuckian, referred to by his colleague, as having been generally executed for killing an Indian in cold blood, it had no reference whatever to the present question. It was the case of an unauthorized

individual killing a captive. The act proved him a coward; and it would be a momentary doctrine that would make every individual an arbiter on the subject of retaliation. If the commanding officer had done the same act which was done by the individual, although a proper policy might not have been pursued, public execration would not have followed the act.

Mr. J. here concluded his observations, by returning his thanks to the committee for the attention which had been paid to his remarks, and expressing his regret at having been obliged to trespass on their time so long.

## DOMESTIC.

WASHINGTON, FEB. 6.

The Supreme Court of the United States met on Monday last, and on Tuesday the 2d inst. the business of the term commenced. The opinion of the court was pronounced in the case of *Dartmouth College against Woodward*, which was argued at the last term. The judgment of the state court in this cause, (involving the construction of that article of the constitution which prohibits the state legislatures from making any law impairing the obligation of contracts,) was reversed.

WEDNESDAY, FEB. 3.

The opinion of the court was delivered in the case of the *Baptist Association against Harp's Executors*, for the defendants. This cause was also argued at the last term.

Several causes were argued. Mr. *Winder* commenced his argument for the captors in the case of the *Divina Pastora*, a ship and cargo captured by a cruiser sailing under the Buenos Ayres flag, but alleged to have been fitted out in the ports of the United States.

THURSDAY, FEB. 4.

Mr. *Webster* and Mr. *Ogden* addressed the court on the part of the Spanish owner in the case of the *Divina Pastora*, and Mr. *Winder* closed the argument in reply.

Mr. *Wirt*, (attorney general) and Mr. *Jones*, argued the case of the *United States against Howland and Allen*.

FRIDAY, FEB. 5.

The court ordered the case of the *Divina Pastora*, argued yesterday, to be remanded to the circuit court, with directions to permit an amendment of the libel, the pleadings being too defective to enable the court to pronounce a decision on the legal merits of the cause.

Mr. *Wirt*, (attorney general) concluded, in reply, the argument in the case of the *United States against Howland and Allen*.

Several other minor cases were heard.

## STEAM BOAT MEMORANDA.

The steam boat *Gov. Madison*, captain Holton, arrived at Shippingport on Monday last, in 38 days from New Orleans, with a cargo of merchandise.

The *Gov. Shelby*, capt. *Marders*, arrived at Shippingport on Monday evening, in 23 days from New Orleans, with a cargo of merchandise. Passed the Eagle near the mouth of the Ohio, on her way up. Passed the Tamerlane aground, bound down.

CINCINNATI, FEB. 23.

## SPECIE.

The steam boat *Perseverance*, left this place on Saturday for Pittsburg, with thirty passengers and about four hundred thousand dollars in specie, for the United States Bank at Philadelphia.

NATCHEZ, FEB. 2.

A motion for a new trial, in the case of *Adair against Wilkinson*, was agitated in the supreme court last week; after considerable discussion, the court postponed giving an opinion until next term.

The new tragedy of *Brutus*, mentioned in a London paragraph as "pursuing a triumphant career of success," at the Drury Lane Theatre, is from the pen of Mr. John Howard Payne, late of New York. The London papers abound in critiques on this performance.

CHARLESTON, (S. C.) JAN. 14.

We yesterday announced the election of *Washington Allston*, Esq. as a member of the Royal Academy of Fine Arts in London. South Carolina has the honor of producing this distinguished painter; he is a native of Georgetown; received his education at Harvard University, and soon after he graduated, embarked for Europe; where he has perfected himself in his profession, by studying in the various schools of England, France, and Italy. He has lately risen to the highest rank among the artists of the old world. In 1813, he received the great premium of 200 guineas for his picture of the *Dead Man restored to life*, purchased by the Pennsylvania Academy of Arts, and, in 1818, he received another premium of 150 guineas for his picture of *Uriel*, purchased by the Marquis of Stafford. He has now been elected a member of the Royal Academy of London. Mr. Allston has had two pupils, Mr. S. F. B. Morse and Mr. C. R. Leslie, both of whom have received premium medals in London. Mr. Allston is now in Boston, Mass. Mr. Morse is in this city; and Mr. Leslie is still in London, about to return to his native country in the spring.



The public attention has been so exclusively devoted to the question of the Seminole war, that another, of scarcely less interest, has been almost overlooked. I mean the condition of the United States' Bank. Whatever attractions may be given to the first of those subjects by the renown of the illustrious individual so nearly concerned in it, I confess I cannot be indifferent to the fate of an institution intimately incorporated with every interest of my country. I claim no other credit to my opinions than that of having formed them without having the least individual concern in the affairs of the bank.

I fear that this great monied institution, which was ever looked upon with a jealous eye by a great portion of respectable politicians, will have strong prejudices to encounter in every stage of its existence. And, however I might have thought of the propriety of chartering it, while that question was matter of discussion, I can but deprecate the consequences of bringing its constitutionality and legitimacy again before any tribunal, after the sacrifice of so much labor and money in putting it in operation, under the pledge and protection of the national faith. And whatever mischiefs may arise from the large share which foreigners have in the stock, much more fatal consequences would inevitably ensue from exhibiting to the eyes of the Commercial World the unprecedented spectacle of a nation creating this gigantic scheme for the restoration of public credit, and immediately its object had been very imperfectly accomplished, destroying the very engine of their salutary operations, and exposing to ruin those who had risked their fortunes in the great and hazardous enterprise.

It is not for me to vindicate the character of those more immediately concerned in the government of the bank. Standing as men of character, before the world, in a station of the highest confidence, it becomes them to rescue their names from the imputations which have been thrown upon them. But, taking it for granted, for the sake of argument, that they are every way as reprehensible as the committee represents them to be, I cannot perceive the necessity or the justice of sacrificing the commercial credit of the country—of plunging us once more into all the horrors of a depreciated and worthless paper currency—or of ruining the innocent stockholders of the bank, because two or three directors, and they the agents of government, have been guilty of fraudulent practices. If a corporation were to be dissolved whenever one of the members misbehaved, we should soon have none to destroy: our towns would be depopulated for want of a police, and even the vault of the constitution would tumble about our ears, because some stone in its arch had yielded to corruption. So far from thinking the government should pursue with an implacable spirit, the errors or the vices of the governors of the bank, and dissolve it for either, without a strong necessity, I think that such errors and vices are nearly inevitable in every banking institution; and, since we cannot have banks without them, we virtually bind ourselves, in their very creation, not to destroy them for vices inherent in their very nature, but can only guarantee the best means which the government can afford for the prevention and correction of the abuses.

The utility of a bank has been so conspicuously manifested in the present case, that we should not lightly or capriciously abandon an institution which, with all its faults, has been a public benefactor; and, really, as an institution, whatever may be said of some of its directors, has some claims to the character of martyrdom. It is the first time that a great monied institution has been reproached with lenity, and a spirit too accommodating. The committee think it did not push its exactions on the state banks far enough. It might, doubtless, have ruined many of the state banks and many of their debtors; but, in mercy to perplexed and embarrassed people, it mitigated the mischief it might have done, though to its own loss. It not only spared the state banks from the ruin it could inflict directly, but it kindly interposed to save them from each other. It relieved the mischief which each of them might have produced, by becoming the common support of them all. But this was not its first benefit: it began its operations at a time when the country was actually drained of its specie, and when bank paper of every denomination, by enormous discounts, and an unequal and oppressive exchange, had ceased to discharge the functions of a circulating medium. At the enormous expense of \$325,297 28, it restored the banished specie to the country; for a long time it reduced the exchange to par, and, even since a painful necessity, and very adverse circumstances, have compelled it to cease to pay the notes of one branch at another, it has diminished very much the inequalities of exchange, which must have continued, and even increased, but for its salutary operations. That the mother bank could not assume upon itself the payment of the notes of all its branches, I distinctly foresaw when the charter was under discussion; for, Philadelphia being the centre of an active trade, extending in some directions between 500 and 1000 miles, it was absurd to expect it could keep in its vaults not only specie enough to meet the ordinary demands upon it, but also to pay off, perhaps in a week, the whole amount of notes which had accumulated, by the course of trade, in 6 or 8 months, over so great a surface, and such prodigious

population. The notes of the mother bank would have but a limited circulation in the neighborhood of a branch bank, because the notes of a branch were, in that neighborhood, equal to specie. But when the merchants from Knoxville, Nashville, Pittsburgh, Lexington, &c. and every village within that and even a much wider circuit, presented all the branch bank notes which they could collect in a year, at the mother bank in one week, the drain becomes enormous; and when this is done not once only, but every year, to supply it is impossible.

Still as every one who received branch bank notes did not wish to draw specie, and as those notes were in high credit, because the branches were compelled by their charter to redeem them with specie, they contributed to diminish the excessive irregularity of exchange.

The bank, then, has unquestionably given great facilities to the commercial operations of the country. Its advantages to the government have been equally conspicuous. The benefit of merely transferring the revenue of the government is no inconsiderable one. Then it enables the government to collect its revenue with certainty in all places, in a medium having nearly the same value throughout the country, and to the government entirely the same, instead of the state bank paper which, but for the United States' bank, could only have circulated in their immediate vicinities. But it has done yet more for the government, in taking upon itself the whole expense and risk of supplying the country with specie. But for it, the state banks, which had virtually absolved themselves from the obligation to redeem their notes with specie, and which, relying on their immunity from that necessity, were still issuing their notes, would have gone on to flood the country with a depreciated currency, which would have effectively put an end to commercial intercourse, and have renewed, with exasperated symptoms, all the miseries that followed the revolutionary wars in this country and in France. Even now, the United States' bank, by the controlling ascendancy which it has, is the only possible means for restraining the emission of paper from the state banks, or of enabling one of them to redeem their notes with specie; for, by its charter, it is bound to redeem its own with specie; and, so long as the state banks can procure its notes, they have the power of commanding specie, which they are utterly unable to procure to any amount from abroad.

Another subordinate benefit which it confers on the government is, in saving it \$60,000 per annum, in the various loan offices which would else be established in the States, besides taking off from government the risk from irresponsible agents, and uncontrollable accidents.

But, I consider the advantages to the government and even to the commercial operations of the country, as forming the least claim which the bank has upon the government for its support. Whatever may be the tendency of its operations in these respects, it is a great monied institution with a capital of \$35,000,000, organized at a period of national distress, adopted after an experience of 20 years derived from the old bank, put forth under the solemn pledge of the national faith. The whole community, some from motives of patriotism, some from the love of gain, some from fiscal benefits, some from views of commercial advantage, have become interested in the existence and support of the institution. Is it right that all these should suffer, from the errors or the crimes of two or three directors, in whom the stockholders never confided, to whom they never willingly trusted the management of their affairs? Against the rapacity of speculating brokers, who deserve no mercy, I will put the yet longer list of honest country people, who have been the innocent and too credulous dupes of the fraud and knavery of others. I will put the widows and the orphans, who, incompetent to manage their little estates, had sought a refuge from the fraud and oppression of their agents, in this great national concern. Shall we, to punish the delinquency of a few public agents, expose these to indignance and despair, by converting the faith, on which they relied for security, into the instrument of delusion and misery? This is the predicament in which we are placed. Our rulers, stimulated by an honorable resentment against the inquiries which they at least think they have detected, pursue the defaulters with feelings which make them forget the injury they inflict on thousands of innocent, credulous, unoffending people. Enraged against vice, they will be too apt to punish it, though the punishment should fall equally on all. Let them not think that they can correct the public mischief by an act of violence or injustice. The rage for speculation is the vice of the times, and, though they may annihilate the bank, the sin will revive. While we are chasing a particular mode of the grievance, it assumes another shape, and breaks out in a more extended calamity. So long as we have human passions, it is idle to seek to extinguish vices which have spread their contagion so widely. Any attempt to do so, will be about as efficacious as that of the Indian who sought to dry up the river by kindling a fire upon its surface. The conflagration may continue until the forest has been consumed, but, so long as rains and dews supply the sources of its fountain, the river will flow. So, in the present case, we may waste our time and public spirit in pursuing one mischief, but no sooner have we destroyed that mode of it, than it starts up in some new shape more terrible than before. Modern vice is no more nor less than ancient vice. The Devil is still the Devil in all

his shapes, whether squatting like a toad, or, touched by the spear of Ithuriel, he shoot into the natural magnificence of his dimensions, and darken the Heavens with his form. Let no man imagine, then, that we shall become more virtuous by ruining the bank and all who are concerned in it.

On the contrary, revoke the charter of the bank, and we turn loose upon society, a multitude of ruined people—some of them, already oppressed by the misery of their condition, will sink down in silent despair—but, by far the greater part, rendered fierce by ruin, will extinguish the sense of their misfortunes in disorder and in crime.

I should deprecate the revocation of the charter as the last of calamities. It would at once throw into the bank every note that has been issued; it would of course ruin it; and, if the evil stopped there, we, who have no concern in it, might smile at our safety. But, who would be safe, when the bank, to meet as far as possible its engagements, lets loose the furies of litigious discord upon our people; when every man, who owed a dollar to it, must pay it in a moment; when all the specie in the country is already in the bank; when the court house would become the exchange, and the prison the ordinary residence of our countrymen? Revoking the charter would produce ruin in an infinite series. The United States bank would first fall on the state banks, they and it would unite against individuals, and the pack would still farther increase by having individuals against each other. The ruin of all would be unavoidable as fate. This, sir, is no exaggerated picture: the evil would be inevitable but for one thing, which would happen. The states would suspend their execution laws.—They would protect in this ultimate extremity of misery their citizens from ruin. The debtors of the bank then would be saved, at the expense of the bank. Thus would the government of the United States, after having created a bank, turn it loose to the mercy of the states, not only to be taxed at pleasure, but to be defeated even in collecting its debts in the last hour of its expiring existence. This would, indeed, be a pleasant scene with which to treat that jealous rival of our commercial prosperity, England. Great Britain would behold in the United States a country without a currency, without credit even at home, without internal commerce, composed of the materials of discord instead of union; and all exasperated by the reciprocal hostility between each state, and every other, and all against the federal government.

Whatever might be the result of a revocation of the charter, will equally ensue from issuing a *scire facias*. For, so soon as that shall be done, every man having a note will rush to the bank to convert it into specie. To distrust the safety of a bank, as certainly produces this effect as its extinction could. Already the public are dissatisfied with a paper on which the report of the committee and the proceedings of Congress have fixed some opprobrium. Let but a *scire facias* issue, and the bank can never retrieve its character or redeem its notes. It would be easy to shew, that if the report of the committee be true throughout, a court of law could never rescind the charter. Why, then, by giving the sanction of Congress to such a measure, destroy the bank in the public opinion, by which it will be ruined before it can be heard? I wish I could pursue this question further, and shew that all the objections to the management of the bank go to its Officers, and not to the Institution. But, I have already gone beyond the limits I had assigned myself, and shall conclude by imploring of Congress some consideration for those whose fate depends upon their breath. The extinction of a charter embracing 35,000,000 of capital, can neither be silent, nor frivolous in its effects. It will not be the explosion of a volcano, whose fire and lava may, to be sure, consume half a dozen brokers and swindlers—but it will desolate in its progress many a peaceful vale, and cover with its ashes the shed of many an innocent hamlet.—But the government of the United States will never convert its bank into a mine, not of riches and felicity—but of exploding and desolating ruin. These are the sentiments of one who is not a director nor even a stockholder, and who yields precedence to no one in the concern he feels for his country.

I have purposely avoided giving an opinion on the conduct of the directors, but they should be heard with patience in their defence. The public should suspend its opinion, and, far from taking the report of the committee as sufficient to sanction any measure, however violent, consider it as only putting men, who have borne high characters in their country, on the proof of their innocence.

From the National Intelligencer.  
Reports being in circulation calculated to induce a belief that the gentlemen who were the friends of Gen. A. T. Mason, in the fatal termination of his quarrel with Mr. McCarty, had been instrumental in urging the affair to its unfortunate issue—it is thought proper to publish a simple statement of facts; premising, that not even the nearest relatives of the deceased can more sincerely regret, than do those gentlemen, the determination of Gen. Mason to prosecute this business to its ultimate result.

1. It is well known to a number of Gen. Mason's friends, that he had resolved on challenging Mr. McCarty, in opposition to all the advice which they gave, and all the efforts which they made to dissuade him.

2. One of the two gentlemen who were the friends of Gen. Mason in the field, had, some time before, made similar exertions to dissuade him from the

course he intended, and with similar bad success.

3. Before a personal interview had taken place between Gen. Mason and his second, his letter, containing positive instructions for their government, in conducting the affair, was written.—This letter enclosed a communication for Mr. McCarty.

The letter to Mr. McCarty not having been read by that gentleman, it is only thought necessary to give such extracts from it as show clearly that the determination of Gen. Mason was made independently of any consultation with his second. This letter is dated "Richmond, January 9, 1819."

The following are extracts from it.  
"Sir—I have resigned my commission for the special and sole purpose of fighting you, and am now free to accept or send a challenge, and to fight a duel. The public mind has become tranquil, and all suspicion of the further prosecution of our quarrel having subsided, we can now terminate it without being arrested by the civil authority, and without exciting alarm among our friends."

"This effort has been delayed by my anxiety to effect such an arrangement of my affairs as my duty to my family required. That arrangement is just effected."

"I am extremely anxious to terminate at once and forever this quarrel."  
"My friends \* \* \* and \* \* \* are fully authorized to act for me in every particular.—Upon receiving from you a pledge to fight, they are authorized and instructed at once to give the challenge for me, and to make immediately every necessary arrangement for the duel, on any terms which you may prescribe."

The following are extracts from the letter of instructions, which is dated, "Richmond, January 9, 1819."

"Gentlemen—You will present the enclosed communication to Mr. John M. McCarty, and tell him at once that you are authorized by me to challenge him, in the event of his pledging himself to fight. If he will give the pledge, then I desire that you will instantly challenge him, in my name, to fight a duel with me. You are not authorized to give a verbal challenge, or merely to be reduced to writing. Agree to any terms that he may propose, and to any distance; to three feet, his pretended favorite distance, or to three inches, should his impetuous and rash courage prefer it!"

"To any species of fire arms, pistols, muskets, or rifles, agree at once."

Other incorrect reports being current respecting the interviews and communications between the respective friends of General Mason and Mr. McCarty, it is thought proper to state,  
1. That, on presenting the challenge, two modes of terminating the affair were proposed by Mr. McCarty—first to fight on a barrel of powder; and, 2ndly, to fight with dirks; both of which were objected to, as not according with established usages, as being without example, and as calculated to establish a dangerous precedent.

2. That a third mode was proposed in the following written acceptance of the challenge; which the seconds of General Mason were bound to accede to, both from the positive instructions of their principal, and from the laws which govern the settlement of disputes in the field of honor.

"Gentlemen—I agree to meet and fight your friend, Gen. A. T. Mason, tomorrow evening, five o'clock, at Montgomery court house. As I am at liberty to select the weapon with which I am to fight, I beg leave to propose a musket, charged with buckshot, and at the distance of ten feet."  
J. M. McCARTY.

February 4, 1819.  
3. That it was proposed by the friends of Gen. Mason, and agreed to by the friends of Mr. McCarty, to substitute a single ball for buckshot.

4. That it was agreed by the friends of both parties to postpone the meeting until 10 o'clock, on Saturday morning; and that, on the ground, the distance measured exceeded 12 feet.

It now only remains to state, that all reports respecting the indecorous deportment of either party on the ground, are entirely false—that the unfortunate meeting took place at the appointed time, and that the affair, although fatally, was honorably terminated. No man ever exhibited more perfect coolness and self-possession than did Gen. Mason on this melancholy occasion.

It is due to the friends of Mr. McCarty, who are not aware of this publication, to state, that their deportment throughout the whole business was perfectly correct.

It has been reported that Gen. Mason was struck by three balls. At the request of his friends, the executors of Gen. Mason consented to an examination of the body; and, after a minute dissection it was clearly ascertained that but one ball had entered the deceased.

## CONGRESS.

HOUSE OF REPRESENTATIVES.  
MONDAY, FEB. 15.

Among the memorials presented today was the following:

By Mr. Sergeant, the petition of sundry merchants of Philadelphia, stating that, late in the year 1806, they made large shipments in American and Colonial produce from ports of the United States to the port of Antwerp, in France; that the vessels in which their shipments were made, were carried into England, under the Orders in Council of Great Britain, and, after being subjected to illegal duties, were released; that, upon their arrival at the port of Antwerp, the ships, with their cargoes, were seized under the decrees of France, commonly called the *Berlin and Milan Decrees*, and were sold, and the proceeds paid into the treasury of France, that all their efforts to obtain redress have been unavailing, and praying that such measures may be adopted by the government of the United States as will induce that of France to grant them compensation for their property, as well as for its detention.

The Memorial was read, and referred to the secretary of state.

A petition was also presented by Mr. Findall, from sundry inhabitants of the state of Virginia, praying to be permitted to settle on Columbia river, in the Missouri territory, at a point below the head of the navigation on said river; and referred to the committee on public lands.

A memorial was presented, also, by

Mr. Speaker, from George Williams, explanatory of his conduct as a director, on the part of the government, of the Bank of the United States; which was read, and ordered to lie on the table.

Mr. SMITH, of Md. reported a bill making an appropriation for carrying into effect the provisions of an act passed on the 1st day of March, 1817, "making reservation of certain public lands to supply timber for naval purposes," which was twice read and committed.

Mr. JOHNSON, of Ky. reported a bill for establishing an additional Military Academy, and a Military School of application; which was twice read and committed.

The house having again resolved itself into a committee of the whole, Mr. SMITH, of Md. in the chair, on the bill to authorize the people of the Missouri territory to form a constitution and state government, and for the admission of the same into the Union.

The question being on the proposition of Mr. Tallmadge, to amend the bill by adding to it the following proviso:

"And provided, That the further introduction of slavery or involuntary servitude, be prohibited, except for the punishment of crimes whereof the party shall have been fully convicted; and that all children born within the said state, after the admission thereof into the Union, shall be free at the age of twenty-five years."

The debate which commenced on Saturday, was today resumed on this position; which was supported by Mr. Taylor, Mr. Mills, Mr. Livermore, and Mr. Fuller, and opposed by Mr. Barbour, Mr. Findall, Mr. Clay, and Mr. Holmes.

This debate, which was quite interesting, involved two questions; one of right, the other of expediency. Both were supported by the advocates of the amendment, and generally opposed by its opponents. On the one hand, it was contended that congress had no right to prescribe to any state the details of its government, any further than that it should be republican in its form; that such a power would be nugatory, if exercised, since, once admitted into the Union, the people of any state have the unquestioned right to amend their constitution of government.

On the other hand, it was as strongly contended that congress had the right to annex conditions to the admission of any new state into the Union; that slavery was incompatible with our republican institutions.

The question being put on the motion of Mr. Tallmadge, to amend the bill, the vote was

For the amendment	79
Against it	67

So the amendment was agreed to.  
The house then proceeded in the further consideration and maturing of the provisions of the bill; which occupied the house until the usual hour of adjournment.

WASHINGTON, FEBRUARY 23.  
In the senate yesterday, nearly the whole day was spent on the bill providing for the sale of public lands, after the first of October, 1820, for cash only, which bill was passed and sent to the other house for concurrence; and on private claims.

In the house of representatives, after the call of the house, of which notice had been previously given, the debate was resumed on the bill to erect a separate territorial government out of the southern part of the present Missouri territory; and by a majority of two votes, the restriction on the principle of slavery, which had been previously inserted in the bill, was expunged. The house was never before known to be so full, one hundred and seventy-seven representatives (out of 183) being present. The remainder of the day was spent in unsuccessful endeavors to introduce some modification of the same principle in the bill. At length the previous question was required, and had almost been agreed to be taken, which would have precluded all further debate as well as amendment; when the controversy ceased—and the bill was ordered to be engrossed for a third reading, without a division.

The bill authorizing the necessary preliminaries for the admission of Alabama territory into the Union, which had previously passed the senate, was read a third time and passed.

The proceedings in these and other matters having occupied the house until a late hour, the debate on the bank question was not resumed.

WASHINGTON, FEB. 16.  
JOHN FORSTH, of Georgia, now a senator in congress, is appointed by the President, with the consent of the senate, to be envoy extraordinary and minister plenipotentiary from the United States to Spain; vice G. W. Erving, who has requested permission to return home.

The Vice-President having retired from the chair of President of the senate, for the remainder of the present session, the Honorable JAMES BARBOUR, of Virginia, was yesterday chosen President pro tempore of that body.

In the senate, yesterday, no business of leading importance was perfected; though many bills passed through different stages, which will be hereafter noticed.

In the house of representatives, a decision took place in committee of the whole, which, if confirmed by the house, may be expected to have an important bearing on the political relations of the several states, and to have a wider scope of operation than, on the face of it, would be supposed. It was to annex a restriction on the embryo state of Missouri from admitting into the constitution, which the people are to be authorized

to form, the recognition of the principle of slavery. This is the first instance of such a restriction being imposed on the new states; and the result of the motion, to superadd it to the provisions of the bill, appears to have been wholly unexpected.

By an examination of the merits of this question, we will not anticipate the views which will be presented by such speeches made on the subject, as shall be reported.

EXTRACT TO THE EDITOR OF THE BALTIMORE PATRIOT, DATED  
Washington, February 11.

I have the pleasure to inform you that an appropriation of \$235,000 has just been made to complete the last thirty miles of the national road, called the Cumberland road. In two years the whole road will be complete, and Baltimore will then have the best and shortest road to the western country—the distance to the Monongahela will be 199 miles—the navigation of that river is always good when that at Pittsburgh is—the distance to Wheeling will be only 232 miles; and by a connecting road (which will be made) at Uniontown, Pittsburgh will be only 239 miles from Baltimore. It is 300 miles distant from Philadelphia. Advantages like these, I hope, will be duly appreciated by our citizens, and among other things, I hope soon to see a regular line of wagons established for the transportation of goods.

The following citizens have been appointed, by the President, with the consent of the senate, to be directors of the Bank of the United States, on the part of the government, for the ensuing year, viz:

John Connelly,	} of Philadelphia.
Nicholas Biddle,	
John Steele,	
Walter Bowne, of New York.	
John M. Kim, Jr. of Baltimore.	

## Teacher Wanted.

A GOOD ENGLISH TEACHER, who understands Arithmetic, English Grammar, &c. and can come well recommended, is wanted immediately at the Brick School House, by application to John McDowell, who lives near the school house, four miles from Lexington, on the Georgetown road.

By order of the Board of Trustees.  
March 5-3t

## James M. Pike,

BEGS leave to inform his friends and the public, that he has removed his Dressing Room from Main street to

## No. 7, Cheapside,

Where he respectfully hopes his exertions to please will merit a continuance of their favors.  
March 5-3t

## Copying & Engraving.

A PERSON having sufficient leisure, offers his services to copy Manuscripts, Engraving on Parchment, Wills, Deeds, Diplomas for Masters and Bachelors, Medical Diplomas, or Doctorates, with accuracy and dispatch. Apply to

SHREVE & COMBS.

March 5-4t

## Strayed or Stolen.

ON the street, opposite the New Brewery, on Sunday night last, a ROAN MARE, with black legs, mane and tail, a star scarcely discernible in her forehead, and had on saddle, bridle and martingale. All reasonable expenses will be paid for bringing her home to the subscriber, on the Winchester road, 1 mile from Lexington, or giving me information of her.  
JOHN AKIN.

March 5-4t

## RAN AWAY.

RAN AWAY from me on the 6th of January last, a Negro Girl named POLLY, about 20 years of age, of the common size, tolerably black, smiling countenance, rather a down look, a small scar on one cheek hardly perceptible; was hired two years ago to James Weir, as a cook for his work hands; she also has a husband belonging to said Weir, by the name of Simon; I have reason to believe she is harboured in or near Lexington.

Any person who will apprehend and deliver said Girl to me, living five miles south of Paris, on the Holder's road, will be rewarded as follows: If taken in Lexington or its vicinity, or in Fayette or Bourbon county, Twenty Five Dollars. If taken out of said counties in this state, Fifty Dollars. If taken out of this state One Hundred Dollars.  
NICHOLAS GRIMES.

March 5th 1819-3t

## Fayette county, set.

TAKEN up by Elizabeth Tomlinson, living on the Russell's road, about 34 miles from Lexington, one Sorrel Horse, five years old, fourteen hands high, star on the right side of his neck. Appraised to 35 dollars before  
M. ELDER, J. P.

March 5, 1819-3t

## Seybert's Statistical Annals.

THE subscriber has just received from Philadelphia a few copies of the following valuable work:

"STATISTICAL ANNALS: embracing views of the Population, Commerce, Navigation, Fisheries, Public Lands, Post-Office Establishment, Revenues, Mint, Military and Naval Establishments, Expenditures, Public Debt and Sinking Fund of the United States of America; founded on Official Documents. By Adam Seybert, M. D. &c."

He has also received some copies of "THE WORKS OF DR. B. FRANKLIN," complete in 6 vols. Together with a general Assortment, Law, Classical and Miscellaneous BOOKS, including all the late Publications.

JAMES W. PALMER,  
Sign of the Bible, Main-street, opposite the Farmers' and Mechanics' Bank.  
Lexington, Feb. 26, 1819-3t.

## Cash! Cash!!

WE WILL GIVE CASH IN HAND FOR 50,000lbs. of good Bacon.

WELL CURED, if delivered on or before the 15th of March next.

SHREVE & COMBS,  
Fact. & Com. Merchants.

February 26, 1819-4t

## COWS.

FOR SALE, several MILCH COWS. For particulars and terms, apply at the Ten-mary Steam Mills.  
Lexington, Feb. 26, 1819-3t.



# KENTUCKY GAZETTE.

LEXINGTON: FRIDAY, MARCH 6.

TO THE PATRONS OF THE GAZETTE.

The new proprietors of this paper, in entering on the performance of those duties, which they have incurred towards its patrons and the public, would be wanting not only in the etiquette which is customary on such occasions, but in a real and not unimportant duty, if they fail to make a declaration of their principles and intentions, and to give the pledge of a public promise, that they will faithfully pursue them.

The publication of a newspaper is legally a private occupation; it is the performance of a private contract between the printer and his subscribers; but the latter party is commonly so numerous, and the people in a free country are so much interested in all the labors of the press, that the conductor of a public print may properly regard himself as acting a two-fold character: on the one hand, as responsible to his patrons on the terms of his contract; on the other responsible to his country upon the principles of liberty, patriotism, and virtue.

In either of these characters, it might suffice on the present occasion to give a sweep, insurance, that the present editors will use their best endeavors to fulfill the terms, and pursue the principles, which have been held obligatory and sacred by their predecessors. They will continue the publication on the same plan and conditions, in every mechanical and pecuniary respect: and in the editorial department, it is their wish, and will be their endeavor, to pursue and propagate those principles of liberty, virtue and decorum, which have ever characterized this paper, both in theory and practice, since the earliest period of its existence. They are duly sensible of the incitement to this course—to a preservation of the respectability and republican character of the "Gazette"—which exists in the fact of its venerable antiquity. It has become a PATRIARCH among the prints of the west, having been the first-born of the press on this side of the mountains. Through the long period of its pilgrimage, it has undergone many changes in externals; but in its title, its principles, and its political character, it has proudly maintained, and still shall maintain its identity.

Weight of services and length of years have a claim to respect and veneration: but this is not the basis of our system in politics; it is not on this ground that we are resolved to persevere in the course, which this paper has so long pursued; but from a conviction that its course has been guided by the genuine principles of liberty, patriotism and truth; for, in politics we hold, that nothing can have claims more sacred and binding than these.

The time is not long past, when a designation of the party, to which a new editor would attach himself, was an indispensable requisite, and commonly a sufficient exposition of his political creed; and even at the present day, though an organized and systematic opposition to the republican cause has ceased to exist, yet it may be probably still expected, that the introductory address of an editor should contain something on this subject. As far then as partisanship may still prevail, on the old grounds of division, we pledge ourselves that the "Gazette" shall still be, as it ever has been, found on the republican side. We are in theory, and shall endeavor to be in practice, thorough-going Democratic Republicans. We shall occupy no half way ground; we recognise not the doctrine of "amalgamation." We are sincere professors of the principles of seventy-six, and of the state and federal constitutions—practical disciples of Washington, Franklin and Jefferson.

The politician who would regard the present calm in party politics, as proceeding from an oblivion or abandonment of those principles, which produced our late inflammatory discord, would be entitled to very little respect for his wisdom and penetration, or for the integrity of his conduct. The opposition to democratic republicanism has ceased, only because it was found to be fruitless. The leaders of the opposition still retain their principles; even in the present session of Congress, one of the oracles of that party proudly avowed his adherence to the principles of the Alien and Sedition Laws; and in the state governments, where the federalists still have the ascendancy, we find them still pursuing their old practices. But still stronger proofs than these might be adduced to show the correctness of our opinions on this subject. We would appeal to all history—to the annals of every age and country; to the secret consciousness of every human heart; for evidence of the assertion, that there once were, and must be parties in all states, at least in every free state, differing from each other on the same grounds on which we have heretofore divided in the United States. It is not in human nature to resist that bias to aristocracy, which is produced by wealth, and power, and ambition; by the splendor of great acquisitions, the pride, of birth, and the support of powerful connexions. The people, therefore, at large, who constitute the backbone of all republics, are the proper sentinels to guard against the encroachments of this propensity to aristocracy, and they there by keep alive every spring of government. It is as natural and inevitable, that there should be a democratic and an aristocratic party in a republic, as that men should differ in their opinions on any subject.

But because the leaven of aristocracy will ever be fermenting in the bosom of society, it does not follow that the same ardor and activity, the same high-strung exertion, should at all times be displayed by the friends of liberty. When the cause of aristocracy languishes, the next best may allow himself a little relaxation—but not in his vigilance. If we would preserve our liberties, we must watch them.

We must watch and defeat the progress to tyranny, however slow, silent, and secret; as well as the most open, bold, and forcible usurpations. In whatever plausible garb of justice, liberty, or patriotism, a deviation from the letter, or from the spirit, of our constitutions may be clothed—whether it be in the plausible shape of an act to relieve the state from a supposed bank domination; but combining in itself the legislative, judicial and executive powers of the state government, in hostile array against the supremacy of the constitution, or in the more imposing shape of victory and retributive justice, in a contest with the enemies of our country; it behoves the friends of freedom to scrutinize with rigorous impartiality, and to defend their rights and their constitutions from every infringement whatever. The most subtle and dangerous aristocrats will often conceal themselves and their measures in a popular dress. Their principles and feelings would lead them to an open and direct assumption of power, but discretion tells them, that in a popular government, they must be content to advance, if they advance at all, slowly—and then by the arts of chicanery and deception.

There is no subject at the present day, which excites so much attention through the United States, as that of banking. The establishment of a national bank was formerly, and very justly made a party question: for its constitutionality was then more doubtful than at present; the power of Congress to establish it depending on its being necessary and proper to the successful exercise of other powers expressly granted; and its being constitutional, having lately become more evident than it was in the early experience of the government; and because the establishment of a great monied corporation may well be regarded as inconsistent with the spirit, and dangerous to the purity, of our republican institutions. The latter objection is applicable to banks of every description; and experience, if we are not mistaken, has now convinced the people of its correctness. That excess of banking, at least, which has lately prevailed, has made them feel that the evils of this policy are neither few nor trivial. A distinguished patriot and politician of Virginia, has advanced the doctrine, that the banking aristocracy and paper system of the present day, both in Europe and America, occupy the same place in civil and political society, which was formerly occupied by the *Barons and feudal systems* in England. Without presuming to say, that this extent of reprehension is just, it may be safely affirmed, that the aristocratical tendencies of banking, and the evils which flow from its excess, merit the most serious consideration, and the utmost vigilance and firmness of our citizens and statesmen. Like *negro slavery*, though it even proved to be essentially wrong, yet it is now so firmly established and fixed upon us, that no hope remains of its discontinuance. It is then the duty of all those concerned in politics to use their best endeavors to guard against the evils, and promote the benefits, which it is capable of yielding. Allowing then that banking is a necessary evil existing among us at this time, we feel no hesitation in giving the decided preference to a national institution of that kind, with branches extended into the several states.—We think such establishments calculated to equalize the currency; and which is still more important, we think they operate as powerful checks upon the state banks and their branches, and thereby prevent these latter from wielding, by the potent agency of money, the political concerns of the several states.

To notice, even briefly, all the subjects of interest to which the columns of a good newspaper should occasionally be devoted, would extend this article much beyond its due limits. But there are some topics of such vital importance, at the present period in this country, that it would be hardly excusable to pass them over in silence. And perhaps there is none, which ought to be more frequently the object of our thoughts than *aristocracy*, or the interests of literature and science in general. The schools and literary institutions of Kentucky, though in a few instances flourishing, and of great promise, are yet in general very imperfect and poorly endowed. The present period seems to be peculiarly suitable for the commencement of a liberal and efficient system of reformation and improvement. The state of society demands it; our population and resources have advanced so far, as to furnish abundant materials for academies and colleges; and a late acquisition of territory has supplied a fund for public uses, which ought to be devoted to their support. If the advantages of the crisis are seized and judiciously managed, Kentucky may rise pre-eminent among her sister states, for the learning, intelligence and virtue of her citizens; but if neglected, she is destined to be but a secondary star in this grand constellation of republics. As the editors of a Kentucky print, we shall hence deem no subject more worthy of our attention, than the advancement of literature, and institutions of learning in our state.

Next to this in importance, we may rank the subject of internal improvement. The attention of other states, and of the general government, has been awakened to the true interests of the people in this respect; and as soon as the politicians of Kentucky shall duly appreciate her resources for similar measures, and the advantages she would derive from them, we shall see them pursuing the same plan of policy. The humble means and opportunities which our station may afford us, to assist in diffusing information, and exciting public spirit on this subject, shall be attentively improved.

Further we shall only add, in relation to both the style and matter of our editorial articles, that in the selection of topics we shall aim at the useful and the interesting; and in their discussion, we shall have a strict regard to moderation and decorum—abstaining, as far as

in our temper, from violence, abuse, or contumacious, unnecessary interference with private character, and personalities in discussing the conduct of public men; yet still exerting all the spirit and firmness of which we may be capable, when requisite in our strictures on any thing, which it may be necessary to make the subject of animadversion.

## SYNOPSIS.

OF AN IMPORTANT LAW CASE.

At the last session of the Kentucky Legislature, a law was passed imposing a tax, as that body called it, of \$60,000 on each of the branches of the United States Bank located in this state. The tax was made collectible by equal monthly instalments. On Wednesday the 24th ult. application was made by ROBERT WICKLIFFE, Esq. U. S. States district attorney, in two bills, one on behalf of the government, as a stockholder, the other in behalf of the branch bank at this place, to the United States Judges TOWN and TRIMBLE, for a writ of injunction to restrain all proceedings under the act of assembly, and thereby to inhibit the execution of the law.

The principal part of the cause was disposed of on the two subsequent days, at this place, where the judges met. The state attorney general, BLAIR, excepted to the jurisdiction of the court—and, through the whole course of the investigation, displayed as much ingenuity as his very bad side of the case would allow.

Mr. WICKLIFFE, in a logical and argumentative legal speech, for which that gentleman is so much distinguished, replied to Mr. Blair. Maj. WILLIAM T. BARRY, in a flood of argument, embellished by almost Ciceronian eloquence, closed the debate on the part of the banks.

The prominent points embraced in the investigation, both of the bar and bench, were,

1st. That the act of the Kentucky legislature contravened provisions contained in the law of Congress incorporating the national bank.

2d. That where this was the case, the latter was the supreme law of the land, any thing in the constitutions of the individual states to the contrary notwithstanding.

3d. The act of the Kentucky legislature was regarded, not as a law imposing a tax; but as a law inflicting pains and penalties, inasmuch as it was, from its very face, designed to expel the branches from the state. It was also regarded as a tax on *privilege*, not on *property*.

4th. As chancellors the judges had a right to interfere in this case.

The judges declined going into the constitutionality of the case, as a similar one was depending in the supreme court of the United States. It would be impossible that our limits should enable us to present a special sketch of the various, dignified and mainly grounds taken by the counsel for national supremacy.

The judges decided—that a temporary writ of injunction should issue against Col. TAYLOR, the officer to whom was entrusted the execution of the state law, and all other persons. That the bank should give security in the sum of \$40,000, conditioned that the funds of the institution should not be withdrawn from the state, until further orders. The injunction to last until May, when the Federal Circuit Court comes into session. Satisfactory security was immediately given.

## SOUTH AMERICAN INDEPENDENCE.

Official papers are occasionally developed, which, we regret to say, have a tendency to show, that the administration do not feel a deep interest in the success of the great South American struggle for independence. We express this sentiment the more reluctantly, because, at a former period, we had the highest veneration for the distinguished personage who now fills the Executive chair. But, since his accession to that exalted station, it has been our misfortune to differ from his policy on several occasions; and, while we continue to breathe the pure air of American freedom, we never can consent to proceed *parti passim*, (as the diplomatists say) with any president, who seeks to obstruct the progress to LIBERTY of any people in any quarter of the globe whatever.

The House of representatives, on the 14th January, of this year, called upon the President of the U. S. requesting of him information whether any application had been made by any of the independent governments of South America, to have a minister or consul general accredited by the U. S. It seems from the report of Mr. Secretary Adams, in answer to that inquiry, that two applications had been made for diplomatic residence. The one by Don Lino de Clemente, as the representative of Venezuela; the other by David C. de Forest, as consul general of the United Provinces of South America—both of which were absolutely rejected. We have not room for the documents on this interesting subject; but will remark, that the only objection to Mr. Clemente's reception appears to be, his having, in January 1818, commissioned Mr. Pazos to protest against the invasion of Amelia Island.—This seems to us more like a quibble, than the reasoning of a minister of the mightiest Republic on earth. During the revolutionary contest, the diplomatic agents of the U. S. in France, were authorized to fit out any number of vessels, not exceeding six, to war upon British property—to this there was no objection—nor ought there to have been any. Yet, strange to tell, because Mr. Clemente authorised Mr. Pazos to protest, in the name of his government, against the invasion of a part of their territory, it disqualifies the former from being a public functionary, as much in the

eye of Mr. Adams, as if a bill of attainder had been passed against him.

The objection to Mr. De Forest is still more trivial, and entitled to less consideration. After receiving the flag of the republics—after admitting their commerce, the American president, through his minister, denies them Consularship, "Which that flag and commerce necessarily drew after them." The secretary says, in substance, that to accord a consul general, would be a recognition of the freedom of the provinces. We would ask if the reception of their flag does not amount to the same. There seems to us to be no difference.

## TRIBUTE TO MERIT.

The body of the late General MASON has been conveyed to Leesburg, and there interred with distinguished honors. His neighbors and fellow-citizens appear to have deeply deplored his loss; his family and friends were involved in the most heart-rending distress; and his masonic brethren came to a resolution to wear crape on their left arm for thirty days, as a testimony of their affection and high respect for the deceased, and of their sorrow for his loss.

An article written by a *Virginia Correspondent* of the National Intelligencer, against the repeal of the United States bank charter, is copied into a preceding part of this paper. It is well written, and occasionally eloquent. Admitting for the mere sake of argument, the accusations against certain officers and directors of the bank to be true, and the allegation of errors in the management of the bank affairs to have been well founded, the writer demonstrates the impolicy and the dreadful effects of annulling the charter.

## TRANSYLVANIA UNIVERSITY.

There are at present about 110 students in this institution; and almost every day produces an increase. Under the regulations of the present excellent trustees; and more especially under the presidency of the learned and Rev. Mr. HOLY, Lexington will soon become a distinguished seat of literature, science and morality.

## COL. TRUMBULL.

The proposition of Mr. Spencer to expunge from the general appropriation bill, the item giving to Col. Trumbull \$6,000 for painting the DECLARATION OF INDEPENDENCE, failed in the house of representatives of the U. States, only 22 affirmative votes having been given. There is no doubt of the correctness of the decision; inasmuch as a contract existed. Had the appropriation been refused, it would have amounted to a complete violation of the faith of government. The ground, upon which Mr. S. founded his motion, seems to have been the exhibition of the painting for money in some of the eastern cities.

The president certainly authorized Col. Trumbull to exhibit the painting—but, not for money. The object of Mr. Monroe was, to ascertain as far as possible the correctness of the portraits, of members of the old Congress, displayed on that master piece of art. The property being expressly prepared for the government, we do not think that its exhibition should have been converted into pecuniary and selfish purposes.

## NEW STATES.

The bill to erect the Alabama Territory into a state government has passed both houses of Congress, and only wants the signature of the President to become a law.

The bill to erect the Territory of Missouri into a state, was, with a view to modify some of its provisions concerning slavery, recommitted to a select committee. The question for re-commitment was decided affirmatively by the speaker, the vote having been 83 to 85.

The bill to erect a separate territorial government, to be called the Arkansas territory, has passed the house of representatives. Various attempts were made to amend the bill as to prohibit the introduction of slavery—but they all proved unsuccessful.

## EXTRACT FROM WASHINGTON.

"I do not think the United States bank will be destroyed, though attempts will be made to reform it. Mr. CLEVELAND has been offered the presidency, since Mr. JONES resigned."

## SEMINOLE WAR.

A motion has been made in the senate of the United States to postpone the further consideration of this subject, which gave rise to a very animated debate. No decision has yet taken place. The motion in the Senate grew out of a previous motion to fill up the committee with a member in the room of Mr. Forsyth.

The National Intelligencer of the 22d February, states that Mr. ORIS had made a motion in the senate, to employ the public armed vessels in protecting our commerce against piratical aggression. This motion will, it is hoped, prevail. In time of peace, the navy cannot be better engaged than in the protection of our lawful commerce, and in the expulsion of pirates from the ocean.

The debate continued in the house of representatives on the motion to repeal the charter of the United States Bank. Mr. LOWMYER had made a long and doubtless a most able speech in decided hostility to the motion, and Mr. TYLER had spoken in its support. We have no doubt the motion will be rejected.

The supreme court had affirmed the judgment of the court below in the case of Barr against Gratz.

## SUMMARY.

The Boston stockholders in the United States Bank, have sent a memorial to congress, requesting them to support and not destroy an institution, which they justly represent as valuable to the finances of the government and the commerce of the nation.

Public dinners have been offered to Gen. JACKSON in some of the principal seaport towns; he has generally declined them, except in Philadelphia.

Continued indisposition has induced GEORGE STILES to resign the office of Mayor of Baltimore; and EDWARD JOHNSON, formerly mayor, has been elected his successor.

Some very able articles have appeared in the Baltimore papers, exposing the misstatements and erroneous views of the congressional bank committee.

The bills and drafts, taken from the mail in New Jersey, amounting to 25,000 dollars, have been recovered by the confession of the robbers. Among them we observe a draft of Messrs. Sneed & Co. of this town, on a house in New York, for a small sum.

MARRIED, on Sunday evening last, by the Rev. Mr. Baden, Mr. AUGUSTUS F. HAWKINS, of Versailles, to Miss HARRIET LEVY, daughter of Mr. William Leavy of this town.

On Tuesday evening last, by the Rev. Dr. Blythe, Dr. BEVERLY MILLER, of Morganfield, Ky. to Miss LEVY, daughter of Captain Berry of this county.

The Rev. THOMAS SMITH will deliver a Sermon at the Lancasterian school house, on Sunday night next at candle light.

## Copartnership Formed.

THE undersigned have entered into partnership in the PRINTING BUSINESS, and have taken the "KENTUCKY GAZETTE" establishment. There will be constant attendance in the counting room: persons having business exclusively belonging to the editorial department of the paper will consult the first of the undersigned in his room immediately over the Printing Office. Business will be done under the firm of JOSHUA NORVELL & CO.

JOSHUA NORVELL,  
JACQUES T. CARRIERS,  
JAMES ARMSTRONG.

March 5, 1819.

## NOTICE.

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March 5, 1819.

## Letter Press PRINTING.

JOSHUA NORVELL & Co.

Respectfully inform their friends and the public generally, that in addition to the Newspaper, they have made every arrangement to carry on

Book and Job Printing in all their various branches; having got a great variety of the most elegant and fashionable types, they are enabled to execute every description of work with neatness and accuracy.

All orders for Printing left at the Office of the KENTUCKY GAZETTE, at the old stand on MAIN STREET, will be executed with the greatest dispatch, and the favors gratefully acknowledged.

March 5, 1819.

## Sales by Shreve & Combs.

On Saturday next, at 10 o'clock, at the AUCTION ROOMS OF SHREVE & COMBS,

8 bales Alabama Cotton  
10 kegs of Oysters  
14 barrels Cranberries  
Spanish Cigars, in boxes of 1000 each  
Domestic ditto, in half and quarter boxes  
Silver Pitchers, Spout Ladle, Tea and Dessert Spoons, &c.  
Dr. Rogers's Pulmonic Detergent, Anti-Bilious Pills, and Bitters.

AND AT 6 O'CLOCK, P. M. as above, A valuable assortment of

## BOOKS,

CONSISTING OF Gregory's Dictionary of Arts and Sciences  
Memoirs and Remains of the Rev. Chas. Buck, deceased  
Geddesman, or Thoughts on the sufferings of Christ

The Harmony of Divine Attributes in Man's Redemption by Christ  
Lectures on the Catechism  
Buchanan's Philosophy  
Trumbull's Kentucky  
Arrowsmith's Maps, in sets

on rollers  
Pinkerton's Improved Map of France, the West Indies and Japan, being No. 1 of the new Modern Atlas

SIREVE & COMBS,  
Auc. & Com. Merchants.

March 5, 1819—It

## For Sale, A FEW SHARES OF STOCK, In the Farmer & Mechanic's Bank of Lexington.

Apply at this Office.

March 5-3t

## Fire!! Fire!!!

Independent Fire Company—No. 1. THE members will attend their stated meeting at W. Connell's, tomorrow evening, at 5 o'clock.

THO. M. PRENTISS, Sec.

March 5-1t

## Cotillion Party.

THE ladies and gentlemen are respectfully informed that a COTILLION PARTY will take place at Mr. H. Gilbert's Ball Room on Monday evening, the 10th inst.

Subscribers may obtain their tickets of admission at Mr. Giron's Confectionery.

Tickets of admission for non-subscribers to be had by application to either of the managers.

THO. BODLEY,  
L. HAWKINS,  
R. HANES,  
B. W. BODLEY,  
ISAAC THOM,  
M. J. NEUVEL,

March 5-1t

## NEW GOODS.

## ALEXANDER PARKER & SON

HAVE just imported from Philadelphia, in addition to their former assortment, and now opening at their store on Main-street, opposite the Court-house in Lexington;

Super Broad Cloths and cassimeres assorted  
Second and third qualities of Broad Cloths, do  
Ladies' Pelisse Cloths do  
Bombazetts and Flannels do  
Casimires and Cotton Casimires do  
Bed Ticking and Domestic Cottons do  
Jeans and Vestings do  
Checks and Brown Holland do  
Stockingnets and Rattinets do  
Black and coloured Worsted Hosiery do  
Russia and Irish Sheetings do  
Wide and narrow Diapers do  
Irish Linens and Plattals do  
Cambric and Jaconnet Muslins, do  
Mull Mull and Leno Muslins do  
Sprigged & plain India Book Muslins do  
Furniture and common Damasks do  
Chints, Calicoes and Ginghams do  
Steam Loom and British Shirtings do  
Canton and Italian Crapes do  
A great variety of Silks do  
Silk and Cotton Hosiery do  
Laces and Edgings do  
Bonnets and Ribbands do  
Bolting Cloths and Tapes do  
Shawls and Handkerchiefs do  
Morocco and Kid Slippers do  
Ladies' Morocco Walking Shoes do  
Sprigged & plain Morocco Shoes do  
A very handsome assortment of CUTLERY  
and HARDWARE, assorted  
A very large and handsome assortment of QUEENS, CHINA and GLASS WARE  
A full assortment of GROCERIES  
In which there is the very best MADEIRA WINES  
The best fourth proof FRENCH BRANDY  
The best COFFEE and LOAF SUGAR  
The best Imperial, Gunpowder and Young Hyson TEAS  
The very best DYE-STUFFS, and all kinds of SPICES.

Which will be sold by wholesale or retail at moderate prices for Cash or good Negotiable notes.

The undersigned also offers for sale, the following property in the town of Lexington:

## Two Brick Houses and Lots.

On the Corner of Upper and Water streets, N. E. side, sufficiently near the lower end of the Upper Market-house to make good stands for small stores. The Corner house 28 feet on Upper street and 30 feet back; the other house, same width and 60 feet back; the other house, adjoining 28 feet front and 30 feet back; this Lot 40 feet on Upper street and 60 feet back. Both houses have good Brick Kitchens, &c.

## One Valuable Building Lot.

On Main street, adjoining Major Gabriel Tandy's residence, 130 feet on Main street, and 13 poles back to Water street.

## One Out Lot containing 4 Acres.

On High street, at the Upper end of town, one half of the out Lot the subscriber lives on. The above property will be sold on moderate terms, and time given for payment.

ALEX. PARKER.

March 5, 1819—4t

## For Sale, AN EXCELLENT FARM.

ABOUT five miles from Lexington, lying between Russell's and Henry's Mill road, the same whereon Andrew Barbee, dec. formerly lived. The tract contains about 200 acres; about 100 acres inclosed, about 80 of which are in cultivation, and in excellent order. There is an excellent brick Dwelling House, about 23 by 40 feet, with a cellar under the whole, hewed log Kitchen, and other out houses; a hewed log barn, shedded all round, large stables, separate from the barn, about 100 bearing apple trees, and about the same number of young trees just beginning to bear.

The above farm will be sold to the highest bidder on the first day of April, 1819, at the court house door, Lexington, at 12 o'clock, on a credit of one, two and three years, if not sold before at private sale. Those inclined to purchase at private sale will apply to the subscriber.

## 200 Dollars Reward.

IN consequence of forged letters presented to the subscribers about the 7th of January last, representing the bearer to be Mr. Hunt, and nephew of the President of the Farmer's and Mechanic's Bank of Lexington, a parcel containing post notes and notes of 50 and 100 dollars, executed for the Newport Bank, Kentucky, was delivered to him. As there is no doubt that Hunt will attempt to sign and circulate said notes, the above reward will be given for his apprehension and conviction.—Hunt is a man of genteel appearance and address; about 28 years of age; sallow complexion, and rather above the middle stature.

As the Newport Bank has never had in circulation either notes of 50 or 100 dollars, or Post notes, any notes that may be offered of this description must be counterfeits. Banks, Brokers and others, are requested to be on the alert, should any of these notes be presented.

DANIEL BRADFORD.

N. B. The above farm will be sold for the benefit of the heirs of Andrew Barbee, dec.

March 5, 1819—4t

## MURRAY, FAIRMAN & Co.

THE Editors of the New York Gazette, Boston Commercial Gazette, Richmond Fed. Gazette, Richmond Enquirer, New Orleans Chronicle, Cincinnati Inquirer, Charleston Courier, Savannah Republican, Kentucky Gazette, Louisville Western Courier, Pittsburgh Pennsylvania Gazette, Raleigh, N. C. Register, Chillicothe Reporter, Nashville Clarion, will please insert the above advertisement three times, and forward their account to the subscribers.

M. F. & Co.

Philadelphia, Feb. 9, 1819—March 5-3t

## Alluvion Mills.

THE partnership of BRADFORD AND BOWLES in this establishment, expired on the first day of January last; and the articles of partnership having provided, that if an equal division of the property cannot be made at the expiration of the partnership, that the whole shall be sold at a credit of six months. Now as such a division cannot be made,

NOTICE IS HEREBY GIVEN, That on Saturday, the 13th inst. at 12 o'clock, on the premises, the whole of that establishment called the ALLUVION MILLS, situated on Water street, in the town of Lexington, will be sold to the highest bidder, on a credit of six months, the purchaser giving bond with approved security.

This establishment contains one steam engine, with all the appurtenances complete, with power to drive two pair of five feet mill-stones, one pair of superior French Burr, and one pair of first quality Red River mill-stones, five feet diameter, with bolting cloths, screen, fan, &c. &c. complete for a merchant mill.—The lot and buildings, the steam works or the mill works, may be sold separately if necessary.

Two thrashers, with the carding, riving &c. apparatus for spinning cotton; also about 200 barrels Superfine Flour and Ship Stuff, will be sold at the same time.

DANIEL BRADFORD, Auc.

March 5, 1819—2t



